

NEGOTIATED SETTLEMENT AGREEMENT IN THE PRECOMPLAINT OF

**Joe DaSilva, Jr.
Complainant**

v.

**Robert M. Speer, Acting, Secretary of the Army
U.S. Army Garrison-Detroit Arsenal
6501 East 11 Mile Road
Warren, Michigan 48397**

1. In the interest of promoting the principles of the Equal Employment Opportunity (EEO) Program, the Parties agree to settle the following complaint on the terms shown in paragraphs three (3) and four (4) below:

DA Docket Number: ARDETROIT17FEB00469

2. By entering into this settlement, the Army does not admit that the Army, any Army official or employee has violated Title VII of the Civil Rights Act of 1964, as amended, the Rehabilitation Act of 1973, as amended, the Age Discrimination in Employment Act, as amended, the Equal Pay Act or any other Federal or State statute or regulation.

3. The Army agrees to:

a. To conduct an Inquiry into Fire Chief, Sean Edwards' alleged rude and discourteous behavior towards the Complainant, Mr. Joe DaSilva, Jr. The Inquiry shall start within Fifteen (15) calendar days, and shall conclude within ninety (90) calendar days from the date of the signed agreement.

b. Not take any disciplinary action against the Complainant, Mr. Joe DaSilva, Jr. for acts that occurred prior to 2 March 2017.

4. The complainant agrees to:

a. Keep confidential all information regarding this EEO case, DA Docket Number ARDETROIT17FEB00469 and all of its content or resolution efforts with any personnel located on or affiliated with the Detroit Arsenal.

5. This agreement will become effective on the date it is signed by all parties. Execution of all actions will be effective as noted in paragraph three (3) from the date this agreement is signed by all parties.

6. Complainant's signature on this agreement constitutes a full and complete settlement of any and all issues and claims arising from the circumstances of the aforementioned EEO complaint. This includes but is not limited to, attorney's fees and costs arising from or related to the aforementioned complaint. No other agreements shall be binding unless signed by all parties. In

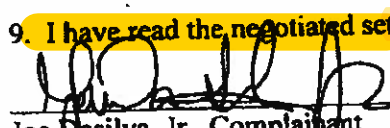
Negotiated Settlement Agreement, DA Docket Number: ARDETROIT17FEB00469

addition, the Complainant agrees to waive his right to pursue administrative or judicial action in any forum concerning the matters raised in this complaint and that they will not be made the subject of future litigation.

7. If the complainant believes that the Army has failed to comply with the terms of this settlement agreement, the Complainant shall notify the Director, Equal Employment Opportunity Compliance and Complaints Review (EEOCCR), ATTN: SAMR-EEOCCR, 5825 21st Street, Building 214, Room 129, Fort Belvoir, VA 22060-5921, in writing, of the alleged noncompliance within 30 calendar days of when the Complainant knew or should have known of the alleged noncompliance. A copy should also be sent to the activity Equal Employment Opportunity Officer, U.S. Army Garrison-Detroit Arsenal, 6501 East 11 Mile Road (Mail Stop 455), Warren, Michigan 48397. The Complainant may request that the terms of the settlement agreement be specifically implemented, or alternatively, the complaint be reinstated for further processing from the point processing ceased. If the Director, EEOCCR has not responded to the Complainant in writing or if the Complainant is not satisfied with the attempts to resolve the matter, the Complainant may appeal to the Equal Employment Opportunity Commission (EEOC), Office of Federal Operations, P.O. Box 77960, Washington DC 20013 for a determination as to whether the Army has complied with the terms of the settlement agreement. The Complainant may file such an appeal to the EEOC, 35 calendar days after service of the allegation of noncompliance upon EEOCCR but no later than 30 calendar days after receipt of the Army determination.

8. The terms of this settlement agreement will not establish any precedent nor will the settlement be used as a basis by the Complainant or any representative organization as justification for similar terms in any subsequent case.

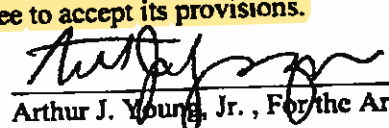
9. I have read the negotiated settlement agreement and agree to accept its provisions.


Joe Dasilva, Jr., Complainant

3-16-17
Date Signed by Complainant

Complainant's Representative (if any)

Date Signed by Complainant's Representative


Arthur J. Young, Jr., For the Army

Director, Emergency Services
Title of Army Official

16 March 2017
Date Signed by Army Official



Agency Representative

30 March 2017

Date Signed- Agency Representative